

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

LYNTON NICHOLAS DELICE,

Petitioner,

v.

Case No. 2:21-cv-3-JLB-MRM


DEPARTMENT OF HOMELAND
SECURITY,

Respondent.

ORDER

This cause comes on consideration of Petitioner's Application for Asylum. (Doc. 9, filed March 29, 2021.) Petitioner has filed a 28 U.S.C. § 2241 petition in this Court challenging his continued confinement awaiting removal (Doc. 1), and his asylum application is filed as a motion in that case. This Court lacks jurisdiction to consider an alien's application for asylum. See 8 U.S.C. § 1252(a)(2)(A), (a)(4), (a)(5), b(9), and e(2). Accordingly, Petitioner's Application for Asylum (Doc. 9) will be **STRICKEN** from the docket. The **Clerk of Court** is directed to return the application and exhibits to Petitioner.

ORDERED in Fort Myers, Florida on April 30, 2021.


JOHN L. BADALAMENTI
UNITED STATES DISTRICT JUDGE

SA: FTMP-2

Copies furnished to:

Counsel of Record

Unrepresented Parties